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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/611,625	07/07/2000	Ivan George Cooper	COO94401	6482

27910 7590 12/21/2004

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EXAMINER	
NGUYEN, GEORGE BINH MINH	
ART UNIT	**PAPER NUMBER**
3723	

DATE MAILED: 12/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/611,625	COOPER, IVAN GEORGE	
	Examiner	Art Unit	
	George Nguyen	3723	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 July 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *21-40* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *21-31 and 34-36* is/are rejected.

7)☒ Claim(s) *32,33 and 37-40* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *082004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Receipt is acknowledged of Applicant's amendment filed on July 21, 2004.

Claims 1-20 were canceled.

Claims 21-40 were added and presented for examination.

Claim Rejections - 35 USC § 103

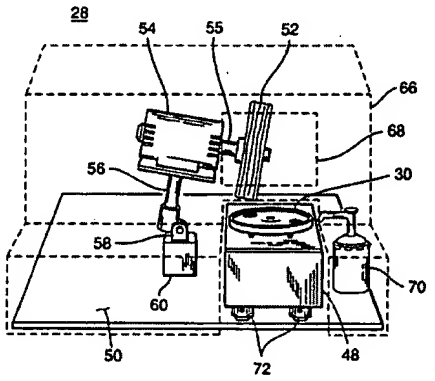
1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 21-31are rejected under 35 U.S.C. 103(a) as being unpatentable over Bauer'5,593,343 in view of European Patent Application'865,038.

With reference to Figure 1, col. 7, lines 60-67, Bauer'5,593,343 discloses a method of reconditioning a large quantity of used digital discs in a time-efficient manner.

Fig. 4



In summary, the present invention provides an improved apparatus and method for reconditioning the protective coating of a digital recording disc. The apparatus restores the playback capability and the visual appearance of a damaged disc, while maintaining the rotational balance of the disc. In addition, the present invention provides an apparatus that can recondition a large quantity of used digital discs in a time-efficient manner.

However, Bauer does not disclose a step of transferring each of said digital discs from a feed area to work holding table 30. Please note that Bauer implicitly discloses a feed area when the apparatus can recondition a large quantity of digital discs.

With reference to Figure 1, EPA'038 discloses that it is known to have utilized an automatic controller 10 to operate a transfer device 1 to move a plurality of optical discs from feed area 4 to a plurality of successive workstations 7-11. The feed area 4 comprises cartridge 6 and turntable 6a with its loading location and unloading location. Furthermore, in col. 10, lines 10-35, EPA discloses that due to interchangeability of the work stations, important advantages are achieved in terms of flexibility of use of the machine 2, making the machine adapted for processing optical discs of different typologies. The advantage of the automated device 1 is to eliminate dead time in the operating cycle of said device 1.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the reconditioning method of Bauer with an automated method of transferring optical discs from a feed area to a plurality of successive work stations, as taught by EPA'038, since EPA'038 states at col. 9, lines 15-20 that such modification would eliminate dead time in the operating cycle of said device 1.

3. Claims 34-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kenedy et al.'6,322,430 in view of EPA'865,038.

With reference to Figs. 1-8, Kennedy discloses the claimed invention including: a) a first work station having a first tool for removing scratches on a disc (Figs. 2-3); b) a second workstation having a second tool for polishing said disc (Figs. 7-8); and c) a controller to set the desired time of reconditioning the disc depending upon the severity of the scratches and blemishes on the disc (Fig. 4, col. 6, lines 62-65). In col. 7, lines

46-55, Kennedy further discloses that the re-surfacing and polishing machines can be housed within a single cabinet. It will also be apparent to those skilled in the art that re-surfacing and polishing machine as described can be constructed having a plurality of resurfacing and polishing work stations within a single cabinet.

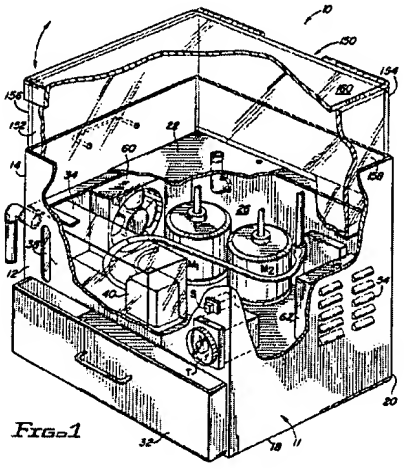


FIG. 1

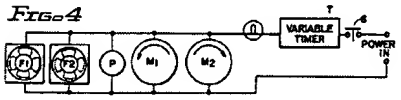


FIG. 4

Alternately, the operator may determine to process a number of CD's and in doing so may subject a group of CD's to the initial abrasive re-surfacing operation using more abrasive material. Once a number of CD's have been subjected to re-surfacing using an abrasive material, for example 30 micron abrasive, progressive re-surfacing using finer abrasives can be performed.

Once re-surfacing operation has been completed, the discs are then subjected to final polishing in a polishing apparatus such as that shown in FIGS. 7 and 8. The CD is mounted on the shaft of motor M1 in the manner shown in FIG. 5 and motor M2 supports an arbor and foam polishing pad having a selected diameter to polish the annular information area. If the disc does not gently, firmly and fully contact the polishing pad, the hub and collar 66 can be loosened at set screw 69 and axially adjusted along shaft 62 to achieve proper alignment and contact. The flat surface-to-surface polishing and re-surfacing restores the discs without damage to either the information layer or the center band and avoids rounding of the edges which can irreparably damage a disc. No abrasive is used in the polishing operation. Neither is water necessary. The motors are energized and a suitable polishing compound such as that available from Ultra Tech Manufacturing Co. of Bloomington, Minn. is applied to the upper surface of the foam pad 91. Polishing will restore the surface of the disc to its original factory condition. When polishing is completed, the disc is removed by loosening knob 68 and the CD can be subjected to final cleaning and is ready for use.

However, Kenedy fails to disclose a step of transferring each of said digital discs from a feed area to work holding table 30. Please note that Kenedy implicitly discloses a feed area when the apparatus can recondition a large quantity of digital discs.

With reference to Figure 1, EPA'038 discloses that it is known to have utilized an automatic controller 10 to operate a transfer device 1 to move a plurality of optical discs from feed area 4 to a plurality of successive workstations 7-11. The feed area 4 comprises cartridge 6 and turntable 6a with its loading location and unloading location. Furthermore, in col. 10, lines 10-35, EPA discloses that due to interchangeability of the

work stations, important advantages are achieved in terms of flexibility of use of the machine 2, making the machine adapted for processing optical discs of different typologies. The advantage of the automated device 1 is to eliminate dead time in the operating cycle of said device 1.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the reconditioning method of Kenedy with an automated method of transferring optical discs from a feed area to a plurality of successive work stations, as taught by EPA'038, since EPA'038 states at col. 9, lines 15-20 that such modification would eliminate dead time in the operating cycle of said device 1.

Allowable Subject Matter

4. Claims 32-33 and 37-40 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

5. Applicant's arguments with respect to claims 21-40 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Nguyen whose telephone number is 703-308-0163. The examiner can normally be reached on Monday-Friday/630AM-300PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 703-308-2687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

George Nguyen

George Nguyen
Primary Examiner

Primary Examiner
Art Unit 3723

GN – December 13, 2004